

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA**

IN RE:)
)
Travinia Italian Kitchen at Richmond, LLC) Case # 19-01325-hb
)
) Chapter 7
Debtor.)
)

**RESPONSE TO APPLICATION FOR SALE OF PROPERTY
FREE AND CLEAR OF LIENS**

Federal Realty Investment Trust (“FRIT”), a creditor herein, hereby responds to the *Notice and Application for Sale of Property Free and Clear of Liens* [Dkt. No. 5, filed March 7, 2019] as follows:

1. FRIT is a creditor by virtue of an unexpired lease agreement between FRIT and Travinia Italian Kitchen at Richmond, LLC (“the Debtor”) for the premises located at 1601 Willow Lawn Drive, Richmond, VA 23230 (“the Lease”).
2. At the time that the Debtor filed its bankruptcy petition on March 6, 2019, the Debtor was in default on the lease payments.
3. The amount necessary to cure the default is approximately \$44,380.93.
4. In connection with the proposed sale, FRIT demands that the default on its Lease be cured, and that the Lease be assumed and assigned to the Buyer or his or her assigns. FRIT further demands that the Buyer provide adequate assurance of future performance under the terms of the Lease.
5. FRIT objects to a proposed sale, to the extent that it does not provide for cure of the default, assumption of its Lease, and assignment of its Lease to the Buyer or his or her assigns,

and to the extent that the Buyer does not or cannot provide adequate assurances of his or her future ability to perform under the terms of the Lease.

6. FRIT reserves its rights with regard to the proposed sale, including its right to amend or supplement this response and/or to further object to any proposed sale.

RESPECTFULLY SUBMITTED on this the 28th day of March, 2019.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: /s/ B. Keith Poston
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CERTIFICATE OF SERVICE

I, Linnea K. Hann, hereby certify that I, on behalf of B. Keith Poston, Fed. Id. No. 10599, counsel for Federal Realty Investment Trust, served a copy of the *Response to Application for Sale of Property Free and Clear of Liens*, filed March 28, 2019, on the Office of the United States Trustee via electronic filing and electronic transmission through CM/ECF, pursuant to SC LBR 9036-1, and on the parties in interest as shown below, via CM/ECF and/or U.S. Mail, as indicated, on March 28, 2019.

John K. Fort, Trustee
P.O. Box 789
Drayton, SC 29333
Via CM/ECF and U.S. Mail

Adam J. Floyd
Beal, LLC
1301 Gervais Street
Suite 1040
Columbia, SC 29201
Via CM/ECF and U.S. Mail

Travinia Italian Kitchen at Richmond, LLC
1200 Woodruff Road, C-36
Greenville, SC 29607
Via U.S. Mail

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